

Canadian Journal of Educational Administration and Policy, Issue #128, January 16, 2012.
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EDUCATION GOVERNANCE REFORM IN ONTARIO: NEOLIBERALISM IN CONTEXT¹

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This paper explores the relationship between neoliberal ideology and the discourse and practice of education governance reform in Ontario over the last two decades. It focuses on changes in education governance introduced by successive Ontario governments: the NDP government from 1990 to 1995, the Progressive Conservative government from 1995 to 2003, and the Liberal government from 2003 until the present. The analytical approach deploys the three models of education governance identified by Bedard and Lawton (2000) – policy interdependence, administrative agency and policy tutelage – to describe differences in the policy content of the neoliberal governance reform projects undertaken by each government. The paper uses the work and recommendations of three government-appointed bodies – the Royal Commission on Learning (RCOL), the Education Improvement Commission (EIC) and the Governance Review Committee (GRC) – to capture critical shifts and tensions in governance reform strategies. Three interrelated points are offered to further the understanding of education governance dynamics in neoliberal paradigms in Ontario: first, the influence of political ideologies on approaches to governance and accountability; second, the mediating role played by government-appointed bodies; and third, the incrementalism of neoliberal reforms in education governance policy.

Over the past two decades, education governance in Ontario has undergone a significant transformation in ideas, institutions, and practices. This paper describes the changes in education governance that began in 1993 with the establishment of the Royal Commission on Learning, and follows reform proposals through to the December 2009 passage of Bill 177, the *Student Achievement and School Board Governance Act*. I argue that education governance reforms

¹ I am grateful to the three anonymous reviewers for their helpful comments on this paper, and to the insights of Dr. Neil Bradford.

introduced in Ontario between 1993 and 2009 reflect the influence of neoliberal values that have characterized school board restructuring across Canada since the 1990s. Similar to most Canadian provinces, this 20-year period of education change in Ontario saw the introduction of measures to reduce education expenditures by amalgamating school boards and centralizing funding, and to increase accountability through new provincial curriculum, outcomes-based education, standardized testing, and greater parental/community involvement in governance (Ben Jafaar & Anderson, 2007; Chan, Fisher, & Rubenson, 2007; Lessard & Brassard, 2009; Ungerleider & Levin, 2007). However, the paper also reveals important differences in the specific policy content of Ontario's neoliberal governance reform project. I describe the transition from an aggressive neoliberal agenda focused on expenditure reductions, financial accountability, and accountability for outcomes, to a more collaborative orientation informed by academic ideas about financial stewardship, stakeholder partnerships, and accountability for student success.

To explain this variation within the roll-out of neoliberal education governance reform in Ontario, the paper adopts three analytical strategies. First, I draw on the conceptual framework of Bedard and Lawton (2000), which identifies three models of education governance: "policy interdependence," "administrative agency," and "policy tutelage". Second, I provide a detailed empirical analysis of the dynamics of policy change, identifying three rounds of governance reform in which the models of administrative agency and policy tutelage structured the implementation of neoliberal ideas. Third, to capture the critical ideas and shifts in governance reform strategies, I focus on the work and recommendations of three government-appointed bodies: the Royal Commission on Learning (RCOL), the Education Improvement Commission (EIC) and the Governance Review Committee (GRC). Despite differences in their mandates,

membership, and authority, each provides an important window on the ideas, values, and tensions underlying education governance reform in Ontario.

The paper is divided into three main sections. Section 1 provides an overview of the context for education governance reform in Ontario, including the emergence of the neoliberal accountability paradigm, and changing views about the role of school boards in improving educational outcomes. Section 2 tracks the evolution of neoliberal educational ideas across three periods corresponding to successive governments of different political stripes: the Rae New Democrats, the Harris Progressive Conservatives, and the McGuinty Liberals. Section 3 draws policy lessons across the three periods and reflects on the role of policy actors in mediating neoliberal discourses in public education governance.

Section 1 – Education Governance, Neoliberalism and School Boards

In Canada, the *British North America Act*, 1867 (later renamed the *Constitution Act*) gives the provinces exclusive legal jurisdiction over education. In practice, however, education governance is exercised at three levels (Lessard & Brassard, 2009). The central authority (provincial or territorial ministries) establishes the formal rules for the three main functions of governance: funding, regulation, and provision/delivery (Mok, 2005). Power is then delegated to both the intermediate level (school boards) and the school level. This multi-level structuring of education governance addresses such issues as geographic boundaries of school districts, the administration and management of schools, the locus of decision-making, the role of parents and the community in school planning, the type of school management, and the degree of state involvement and intervention in education decisions (Chan et al., 2007). Traditionally, the structure is designed to build local consensus by redistributing and decentralizing power and

enhancing the capacity of governance actors to find compromises and promote community involvement (Lessard & Brassard, 2009).

Local school boards, consisting of both elected trustees and administrators, are responsible for the overall operation of schools within the district, including decision-making about the facilities, programs, services, staffing and resources available (RCOL, 1994). The role of elected trustees is to listen to the concerns raised by constituents about local schools or students' education, and to advocate for the needs of students and schools (EIC, 1998). In fulfilling this role, the lateral interactions between trustees and school board administrators have generated both positive and negative tensions: superintendents may view trustees as uninformed about education and preoccupied with short-term re-election considerations, while trustees may regard administration as unresponsive to community concerns and unwilling to accept criticism (Young, Levin, & Wallin, 2007). Another recurring source of tension flows from the nature of trustee involvement in decision-making. School board trustees may be perceived as too intent on micro-managing the daily operations of the district, instead of focusing on macro-management issues of policy making and policy oversight (EIC, 1997; French, Peevely, & Stanley, 2008; Land, 2002; RCOL, 1994).

The Emergence of Neoliberalism

Numerous scholars have documented the rise of the neoliberal policy orthodoxy across nation states during the late 20th century, and the redefinition of education from a public good to an instrument to enhance national and international competitiveness and meet the demands of a global economy (Ball, 1998; Lindblad, Johannesson, & Simola, 2002; Martino & Rezai-Rashti, 2011; Rizvi & Lingard, 2010). Much work has also focused on how the particular policy

outcomes associated with this global policy convergence are mediated by politics, history and culture at the national and local levels (Rivzi & Lingard, 2010).

In Canada, the shift toward a market-based neoliberal paradigm began in the late 1970s and early 1980s, with the release of a series of high-profile reports calling for federal and provincial action to reduce mounting public debt loads and address rising unemployment (Ungerleider & Levin, 2007). Schools were blamed for economic decline, because of their perceived inadequate preparation of students for the new knowledge economy, and market-style modes of governance affecting education financing, curriculum, and student assessment were urged to promote global economic competitiveness (MacLellan, 2009b). A public education system responsive to the restructured global economy was identified as central to economic renewal and the ability to compete in the global market (Davies & Guppy, 1997; O’Sullivan, 1999).

Instead of fostering and enabling participatory democracy, in neoliberal modes of governance local involvement becomes a mechanism to improve school performance and foster market competition. Governance reforms focus on expanding the role of the “consumer” over the community by enabling parents “to hold schools to account, choose schools, appeal and register complaints” (Ranson, 2003, p. 465), within a state structure that promotes standardization and accountability in response to market demands.

School Boards and Educational Change

Over this same period, scholars interested in educational change largely focused on the role of individual schools and the school-level implementation of government or district policies, with the intermediate level – the school district – on the periphery (Anderson, 2003; Seller,

2005). By 2000, however, researchers began to explore the impact of school board leadership in ensuring “that educational improvement is systematic and coherent at the local level rather than based on the isolated success or failure of an individual school’s actions” (Campbell, 2005, p. 82). In particular, greater attention was paid to the responsibility of school trustees “for multiple factors associated with student achievement” (French et al., 2008, p.212), with some arguing that accountability for student performance should rest as much on school board trustees as on teachers, principals, and school superintendents (French et al., 2008). Despite this assertion, few studies exist to substantiate direct links between trustee leadership and students’ academic achievement (Land, 2002).

Instead, research has focused on identifying common characteristics of effective school board governance. High quality board governance is characterized by role clarity between the trustees and the director and attention to macro-management rather than micro-management (French et al., 2008). Effective school boards exhibit a focus on students’ academic achievement and attention to policy rather than administration; good relations with the director of education, with other board members, with local agencies, and with the public and state; effective performance in the areas of policy-making, leadership, and budgeting; and adequate evaluation and training (Land, 2002). In this context, education governance reforms have been directed toward increasing the effectiveness of school boards by clarifying roles and responsibilities within a neoliberal accountability paradigm.

We now turn to consideration of the education governance policy options formulated by three successive governments to address these developments in Ontario. The analysis tracks the interplay between the broad neoliberal ideas that frame the debate and the particular governance

models that structure the development and implementation of governance reforms (Bradford, 2003).

Section 2 - Education Governance Reform in Ontario

Bedard and Lawton (2000) identify three models to describe governance relationships in Ontario between the province and school boards: the centralized models of “administrative agency” and “policy tutelage,” and the decentralized model of “policy interdependence.” Ontario’s traditional approach to education governance, they argue, is administrative agency, with school boards acting as dutiful implementers of central mandates. Policy tutelage also involves the central determination of policy goals and sets clear guidelines for implementation, but offers flexibility for school boards to adapt policies to fit local circumstances, and envisages a role for the centre in supporting local decision-makers. The decentralized model of policy interdependence positions the centre and school boards as equal partners in the policy process, with goals and mandates established through a process of dialogue and collaboration. Beginning in the 1960s in Ontario, traditional administrative agency began to be replaced by policy interdependence, which became the prevailing model until the mid-1990s (Bedard & Lawton, 2000). Following an abrupt return to administrative agency from 1995 to 2003, the pendulum appears to be moving toward a policy tutelage model of governance.

Round 1: Beyond Policy Interdependence?

The NDP and the Royal Commission on Learning (1993-1995)

Accompanying calls for an education system better able to meet the demands for global competitiveness, the early 1990s in Ontario also saw growing public unease over rapidly

escalating school board budgets, dramatic increases in board-approved trustee salaries, and school board resistance to the implementation of government priorities, such as mandated Junior Kindergarten. In the face of these challenges, the Cabinet began to openly consider a review of the structure and operation of Ontario's school boards that amounted to a rethinking of the policy interdependence model that had been in place for nearly three decades (Gidney, 2002). The February 1993 appointment of Dave Cooke as Minister of Education was a watershed in the restructuring process. Cooke, a former social worker and school trustee, had served as Minister of Municipal Affairs and had "a bee in his bonnet" about school boards (Gidney, 2002, p. 197). In particular, Cooke viewed school board amalgamation as a way to eliminate duplication and redirect administrative expenditures to the classroom. One of his first actions as minister was the appointment of consultants to review potential amalgamations in Windsor-Essex, Ottawa-Carleton, and London-Middlesex. This was followed, in April 1993, by the introduction of province-wide achievement tests for Grade 9 students and public reporting on results, an initiative that constituted "a minor revolution in Ontario education" (Gidney, 2002, p.223). These initial forays into governance reform were topped off by the May 1993 launch of the Royal Commission on Learning, the first comprehensive look at public education since the 1968 Hall-Dennis report (Gidney, 2002).

The Royal Commission on Learning was mandated to study and report on a "shared vision" for education, as well as student program needs, accountability, and governance, in order to ensure that "Ontario youth are well-prepared for the challenges of the 21st century" (RCOL vi, 1994, p. vii). The two co-chairs were Monique Bégin, Dean of the Faculty of Health Sciences at University of Ottawa and former federal Liberal Health Minister; and Gerry Caplan, a media commentator and long-time NDP activist, who had served as NDP Federal Secretary and

national campaign director. Together, the two co-chairs and the three other commissioners were unified by a “progressive bias” (Bedard, 1999, p. 158) and a shared commitment to equity and social justice. To counterbalance the reform agenda advanced by Cooke – which, in Bégin’s view, meant only two things: “reducing the number of school boards by half, and having accountability as the key concept for educational reform” (Bégin, 1999, p.1) – the commissioners adopted a deliberate strategy to consult as widely and deeply as possible (Bedard, 1999; Bégin, 1999). Over a period of 20 months, they traveled the province and heard from more than 4700 groups and individuals, through presentations, written submissions, voicemails and emails.

The report of the Royal Commission, *For the Love of Learning*, was released in January 1995. Its 167 recommendations included 16 related to the organization of “power and decision-making” in education, in particular, student trustees and school codes of conduct, school-based budgets, and a cap of \$20,000 on trustee honoraria. Another seven recommendations, including the establishment of school-community councils, were designed to support stronger alliances and shared responsibility between schools and community – identified by the commission as one of the four essential “engines” of education. To address the issue of accountability, the commission recommended the establishment of an Office of Learning Assessment and Accountability, responsible for annual reporting on the results of standardized tests in Grades 3 and 11.

A wide range of governance issues were brought forward during the consultations, including the need for school boards, the roles of trustees and administrators, trustee remuneration, the number of trustees, the relationships between school boards and schools, and the number of school boards (RCOL, 1994). In light of the finding that local school boards with publicly elected trustees “are necessary for translating provincial policy into local contexts, for setting local priorities, and for providing co-ordination and support for their schools” (RCOL iv,

1994, p. 110), the commissioners highlighted the need to clarify both the relationship between school boards, the ministry, and individual schools, and the roles of trustees and administrators. They specifically rejected school board amalgamation, in light of the absence of objective criteria to assess the appropriate number of school boards. Prefiguring Bill 177, the report recommended that the minister consult with the provincial trustee associations to “review and revise the legislation and regulations governing education, in order to clarify the policy-making, as distinct from the operational, responsibility of school board trustees” (RCOL iv, 1994, p. 111), and that “the ministry clearly set out its leadership and management roles” (RCOL iv, 1994, p. 119). Acknowledging the inextricable links between governance, accountability and funding, RCOL included a chapter on education financing, which recommended that school boards be allowed to raise revenues from residential property tax assessments, in an amount not greater than 10% of their provincially determined budget.

Only two weeks after releasing the RCOL report, the government responded with a series of announcements that appeared to the commissioners as “more an independently arrived at piece of policy making” (Bedard, 1999, p.164) than a carefully considered response to the recommendations. As Gidney (2002) observes, while there were clear political motivations behind the NDP’s policy initiatives, the proposals also reflected “Dave Cooke’s convictions about the need to restore public confidence and his assessment of the measures necessary to achieve that end” (p.233). In the face of looming electoral defeat, the NDP moved decisively to mandate the establishment of school councils, create the Education Quality and Accountability Office (EQAO) to conduct standardized testing in Grades 3, 6, 9, and 11, and form the Ontario School Board Reduction Task Force to examine the state of school board funding and governance across the province (Anderson & Ben Jafaar, 2007).

This first round of education restructuring ended with the passing of the policy interdependence model, but without a clear replacement. The NDP appeared to be moving toward a policy tutelage perspective (Bedard & Lawton, 2000), but had neither the resources nor the time to follow through. In 1995, the NDP government was defeated by a party with a different set of education priorities reflecting a much more aggressive neoliberal agenda.

Round 2: Return to Administrative Agency

The Progressive Conservatives and the Education Improvement Commission (1995-2003)

Elected on a “common sense revolution” (CSR) platform, the first priority of the Harris Conservatives was to reduce the cost of education, and it moved aggressively to cut spending and downsize school board budgets. In November 1995, expenditure reductions of \$400 million from 1996 school board budgets were announced, representing a dramatic \$1 billion cut from the system on an annualized basis. Despite CSR promises to protect classrooms from the impact of the spending cuts, school boards predictably responded by laying off staff and eliminating programs, with public blame landing squarely on the Harris government (Gidney, 2002). Although the CSR platform had stopped short of endorsing amalgamation, it pointed to the administrative cost-savings that could be achieved through consolidation, and the government encouraged the task force on school board amalgamation to complete its work (Gidney, 2002). By spring 1996, with the report of the task force recommending radical reduction in the number of school boards as well as large-scale financial reform, the die was cast for revolutionary restructuring of both education finance and governance (Gidney, 2002).

Introduced in late 1996, Bill 104, the *Fewer School Boards Act*, reduced the number of school boards from 129 to 72 with a corresponding decrease in the number of trustees from 1900

to 700. In a move that was viewed as particularly punitive, the bill also limited trustee salaries to \$5,000 per year (Gidney, 2002; Ungerleider & Levin, 2007). To oversee the transition to the amalgamated boards, the legislation established the Education Improvement Commission (EIC) as a regulatory agency, giving the commission “far-reaching power to monitor and approve such things as budgets, administrative appointments, and the initial operation of the new boards” (Gidney, 2002, p. 247). To the surprise of many, Dave Cooke accepted an appointment as co-chair of the EIC, along with Ann Vanstone, a former school board chair who had been an outspoken opponent of the Harris spending cuts (Gidney, 2002). The government justified school board consolidation as a means of achieving efficiencies by reducing administrative costs and eliminating duplication of services (Basu, 2004). Amalgamation critics charged that large boards eroded local participation in school governance, and restricted school access to district-level support services (Anderson & Ben Jaafar, 2007; MacLellan, 2009c).

While Bill 104 provoked controversy, it was minor compared to the reaction to Bill 160, the *Education Quality Improvement Act*, introduced the following year (Gidney, 2002). Bill 160 centralized financial control at the provincial level by removing education funding from the residential property tax base and eliminating school boards’ local taxing power. Although justified on the basis of equity, Bill 160 was “as much as instrument for efficiency and cost-control as one for uniform funding” (Bedard & Lawton, 2000). The bill made it illegal for boards to operate on a deficit, with financial penalties for trustees who were unable to balance their budgets, and tightened financial accountability by requiring boards and the Ministry to publish annual Financial Report Cards disclosing their spending (Gidney, 2002). The deficit budget provisions of Bill 160 were tested in June 2002, when three of the province’s largest public school boards (Toronto, Ottawa, and Hamilton) failed to submit balanced budgets, insisting that

provincial funding was insufficient to allow them to deliver programs and services to students. When the trustees refused to implement the recommendations of government-appointed auditors to balance their budgets, the province responded with an “assault on local democracy” (Anderson & Ben Jafaar, 2007, p. 87) by taking over governing authority and installing supervisors to oversee budget cuts and board operations.

In December 1997, one week after Bill 160 became law, the EIC presented its second report to the government, *The Road Ahead II, A Report on the Role of School Boards and Trustees*. The report identified four principles viewed as critical to the success of education reform, including an affirmation of the importance of publicly elected and publicly funded school boards, and a policy governance model of school board operation that makes trustees responsible for policy-setting and monitoring, and the director of education responsible for policy implementation. Charter schools were roundly dismissed as undermining quality and access to Ontario’s system of education. The report’s 18 recommendations touched on trustee roles and responsibilities, board committees, trustee training and support, and communication links. On the issue of accountability, the EIC called for boards to be accountable for the quality of education delivered in schools, to manage responsibly the budgets allocated to them, and to implement provincial education policy, while schools were to be accountable for the results achieved by students. The report supported an enforceable code of conduct for school board trustees, established in consultation with trustee associations, and a built-in funding allocation for trustee orientation and ongoing training. The commission briefly acknowledged the role of the board chair, and indicated that it would monitor the matter of trustee remuneration.

Although the report on the role of school boards did not refer to school councils, school councils were the focus of the 43 recommendations set out in the EIC’s third report, released in

November 1998, to enhance parent involvement in education governance. Emphasizing that “school councils cannot replace school boards” (EIC, 1998, p.3), the report endorsed an advisory, as opposed to decision-making, role. The report specified the purpose of school councils as the improvement of student learning, and included a detailed list of the topics on which school councils must be consulted. In 2000, the Conservatives formalized the role of school councils through Ontario Regulation 612/00, confirming the advisory role of school councils and clearly stating their purpose as improving student achievement and enhancing the accountability of the education system to parents.

Concurrent with the process of school board consolidation, the Conservatives pushed forward with several of the policy initiatives that had been launched by the NDP, including the new secondary school curriculum and the establishment of the Education Quality and Accountability Office (EQAO) as a semi-autonomous agency to develop and manage the provincial standardized testing program and report on results (Anderson & Ben Jaafar, 2007). They also introduced their own policy innovations, in particular a tax credit for the parents of children attending private schools (Anderson & Ben Jafaar, 2007). This encouragement of school alternatives has been described as a key neoliberal strategy to expand market choice, and increase competition between schools by applying the pressure of the marketplace to schools judged as inferior by neoliberal accountability measures (Lessard & Brassard, 2009). In 2003, under new leader John Tory, the Conservatives went even further in the direction of school choice, by committing to public funding for religious and independent schools in their 2003 re-election platform.

To respond to concerns about the adequacy of the funding formula, the Conservatives commissioned a task force in 2002 to review six aspects of student-focused funding. Led by

University of Guelph President and Vice-Chancellor Mordechai Rozanski, the task force recommended a funding increase of \$1.8 billion over a three-year period, and also urged a “thorough review of education governance” in order to clearly articulate “the roles and responsibilities of all partners in education” (Rozanski, 2002, p. 53). Following their receipt of the task force report, the government announced new funding allocations throughout the spring of 2003 (Anderson & Ben Jafaar, 2007). However, the perception of a crisis in public education persisted. This, coupled with growing public backlash against public funding for religious schools, effectively sealed the fate of the Conservative government in the 2003 provincial election. The stage was set for the third round of education governance reform in Ontario.

Round 3: Toward Policy Tutelage?

The Liberals and “Peace and Stability” (2003-Present)

The 2003 election of the Liberal government signalled a new direction for education governance reform in Ontario. The Liberals had explicitly crafted their campaign platform on a position paper published by OISE scholars Kenneth Leithwood, Michael Fullan, and Nancy Watson (Anderson & Ben Jafaar, 2007), demonstrating a willingness to enlist academics and policy intellectuals in defining problems and identifying solutions. They moved almost immediately to reverse some of the more contentious Conservative policy initiatives, restoring local governance to elected trustees in the Toronto, Hamilton, and Ottawa District School Boards, revoking the private school tuition tax credit, and announcing an additional \$1.6 billion investment in education spending by 2006 in line with the Rozanski recommendations.

A review of the Education Quality and Accountability Office was completed in 2004. Despite the concerns of teachers and some parent groups about the costly provincial testing

program, the government announced that the program would be revised rather than eliminated (Anderson & Ben Jafaar, 2007). Instead of holding individual schools, teachers and students solely accountable for student performance, the Liberal government made itself accountable, by setting provincial targets for student results (at least 75% of students achieving at the provincial EQAO standard, and 85% graduation rates). More importantly, a series of initiatives was introduced to build local capacity to support improvements in student learning, including the Literacy and Numeracy Secretariat, literacy coordinators and more teachers in elementary schools, a “hard” cap on class size, and provincial “turn-around” teams to assist low-performing schools (Anderson & Ben Jafaar, 2007; Levin, 2008).

Another signal of the Liberal government’s approach to collaboration, consultation, and consensus building was the establishment of the Education Partnership Table, announced by Liberal Minister of Education Gerard Kennedy in 2004. The table was established “to get broad and diverse insights from the education sector on provincial education policy early in the government's policy development process,” and included students, parents, trustees, teachers, support workers and principals.

With the March 2006 introduction of Bill 78, the *Education Statute Law Amendment Act (Student Performance)*, the Liberals began to formally adopt policies to address the responsibility of school boards for student achievement and clarify school board roles and responsibilities. Bill 78 addressed a range of issues, including the provisions specific to school board governance: the duties of boards, the powers of the ministry, the role of student trustees, and trustee honoraria. The bill’s authorization for new regulations “prescribing, respecting and governing the duties of boards, so as to further and promote the *provincial interest in education*” (italics added) provoked considerable controversy among education sector stakeholders. In

separate submissions to the Standing Committee on Social Policy, teacher federations and trustee associations raised concerns about the broad regulatory powers this conferred on the ministry. In addition to these new regulatory powers, the bill set out the process by which the Minister of Education can investigate and take control of the affairs of a board that has contravened the act, or not complied with its obligations under the Provincial Interest Regulation (PIR). The bill also revoked the punitive clauses of the *Education Act* related to non-compliance, shifted the matter of trustee honoraria from legislation to regulation, and provided greater detail around the role of student trustee. Although the legislation came into effect in June 2006, it was another three years before the government began its promised consultation with trustee associations on the actual content of the PIR.

Later in March 2006, the minister released *Respect for Ontario School Trustees*, a “mini discussion paper” prepared for the Education Partnership Table to “affirm the standing of trustees as key decision makers” (Ministry of Education, 2006, p. 1). The paper proposed a new approach to determining trustee honoraria to be addressed in regulation, committed to improving accessibility of information, and positioned the Provincial Interest Regulation as an effort to “create a new era of local flexibility and autonomy by empowering trustees in local funding and policy decision-making” (Ministry of Education, 2006, 5). The paper further committed to “ongoing strategic discussions” to “clarify the role and the responsibilities of trustees, as well as the link between trustees and schools, school board officials and the ministry” (Ministry of Education, 2006, p.6).

After a first term that saw the government more focused on restoring “peace and stability” than moving ahead with governance reforms, the Liberals launched their second term in office with the release of *Energizing Ontario Education*, outlining the government’s core

priorities for 2007 to 2011. Citing research on the impact of school board leadership on student learning, the document declared: “ten years after substantial changes to school board governance, it is time to clarify and modernize the role of trustees to ensure that they have the supports they need to make sound decisions essential to student success” (Ministry of Education, 2008, p.14). Later that fall, a Governance Review Committee (GRC) was established. Initially co-chaired by trustee leaders from the English public and French Catholic systems, the committee included four other members who represented the Catholic and French public systems and directors of education, as well as the Executive Director of the Canadian Education Association.²

The committee’s four-part mandate was to consult with trustees, directors, parents, and others to advise the government on ways to modernize and clarify the *Education Act*, effective governance practices, a capacity-building program for trustees, and the content and format of the Provincial Interest Regulation. To pre-empt several contentious issues that had been the focus of sustained media attention – including trustee expense violations and OPSBA’s endorsement of a single school system in two official languages – trustee expenses, trustee honoraria, board boundaries, and the four school system structure of education in the province were specifically excluded from the consultation. Over a period of six months, the committee held regional consultations across the province, and received several hundred written submissions in response to its discussion paper. The report of the committee, released in April 2009, included 25 recommendations to clarify the roles and duties of school boards, trustees, board chairs, and directors of education. The report also recommended mandated audit committees, a provincial minimum code of conduct for trustees, and a voluntary trustee capacity-building program, and set out the principles to guide the drafting of the Provincial Interest Regulation. Reaction to the

² In 2009, following the resignation from the committee of the representative of the English public system, the author of this article was appointed to the GRC.

report was uniformly positive across a diverse range of stakeholders, including former Minister of Education and EIC co-chair Dave Cooke, founding CEO of the EQAO Joan Green, Annie Kidder of People for Education, and EIC co-chair Ann Vanstone.

The government responded with breath-taking speed to the GRC recommendations, introducing Bill 177, *Student Achievement and School Board Governance Act, 2009* just one month after receiving the report. Bill 177 was intended to “modernize” governance by formalizing school boards’ responsibilities for student achievement; setting out the roles and duties of school boards, directors of education, individual trustees, and school board chairs; clarifying the role of Parent Involvement Committees; and addressing trustee codes of conduct and enforcement. Bill 177 was described by the government as simply putting into legislation many of the recommendations made by the GRC. However, the legislation departed significantly from the GRC report in several key respects, arousing considerable resistance from school boards across the province.

Complicating the passage of Bill 177 was the release of the long-awaited consultation paper on the Provincial Interest Regulation, first approved in 2006. The PIR consultation paper was hastily circulated to trustees in the summer of 2009, a time when schools are closed, school boards do not meet, and few trustees are available to provide input. The paper’s repeated references to the first-reading provisions of Bill 177 as if they were already in place were confusing. Moreover, many trustees took issue with the tone of the paper, with its mention of trustees “who become distracted by day-to-day issues which take their focus off the long-term” (Ministry of Education, 2009, p.1), and its punitive description of the “triggers” of ministry takeover. In light of the strong negative reaction received to the consultation paper, and the

confusion between the Provincial Interest Regulation and Bill 177, the ministry removed the consultation paper from its website.

When amendments to Bill 177 were brought forward in October 2009, the government had backed down on almost all of the contentious issues and returned to the original GRC recommendations. A few months later, a much watered-down Provincial Interest Regulation reappeared and was quietly filed in February, 2010. The PIR emphasizes a collaborative approach to resolving ministry concerns about school board results in the areas of student achievement, student health and safety, governance, parental involvement, and the performance of boards and directors in carrying out their responsibilities under the *Education Act*. It provides for ministry takeover only if a board refuses to cooperate in the process, or fails to implement changes recommended by the ministry.

The filing of the PIR concluded the governance reform process that began almost 15 years ago with the receipt of the RCOL recommendations. The sector's pattern of continuity and change appears to be coming to a close until the next round of reform emerges as conditions shift, new ideas come forward, and different actors mobilize.

Section 3 - Conclusion

This paper has described the origins and development of governance reform in Ontario from the 1990s to 2010. Over this period, the trend in educational governance has been towards greater centralization, standardization of curriculum, results-based education, and increased accountability for student performance through standardized testing – regardless of the political ideologies of governing party (Anderson & Ben Jafaar, 2007; Ungerleider & Levin, 2008). This increased emphasis on accountability, marketization and competition reveals the power of

neoliberalism as “a political-economic imperative in the formation of government policy” (Chan et al., 2005, p. 221). At the same time, this analysis of governance reform in Ontario reveals differences in how the dominant paradigm has been implemented, as well as variation in the particular content of the neoliberal project. The paper concludes by offering three interrelated points to further the understanding of education governance reforms in neoliberal paradigms.

First, within a neoliberal regime, the political ideology and election platform of the governing party produces qualitative differences in approaches to governance structures and implementation of accountability mechanisms (Chan et al., 2005; Ungerleider & Levin, 2008). Recalling Bedard and Lawton’s (2000) governance concepts, the analysis shows how NDP efforts to refashion governance by providing “a strong tutelage role for the centre” (p. 253) were dramatically pre-empted by the Conservatives’ shift to highly politicized administrative agency. Further, despite some overlap in their policy agendas, the Harris approach was qualitatively different from the NDP’s centralist vision directed at ensuring “greater accountability and standardization to the education system, not to fundamentally alter the balance of power in favour of the centre” (Bedard & Lawton, 2000, p. 253). This same finding is particularly apparent in comparisons between the Conservative and Liberal approaches to governance. For the Conservatives, governance reforms were framed almost entirely in fiscal terms, with centralized funding conceived as a tool to control school board spending rather than a means of achieving equity. While the Liberals have maintained the obligation for school boards to demonstrate fiscal accountability, they are experimenting with broader concepts of accountability and assessment for learning – what Ben Jafaar and Anderson (2007) term “ethical-professional” accountability rather than “economic-bureaucratic”. Since 2003, the Liberals have transitioned away from administrative agency and moved toward a policy tutelage model of

education governance, providing resources and institutional supports from the centre to strengthen district efforts to improve student learning (Levin, 2008).

This suggests the second policy learning arising from this analysis, related to the mediating role of government-appointed bodies in shaping neoliberal governance reform. In particular, the paper highlights the role of the Royal Commission on Learning, the Education Improvement Commission, and the Governance Review Committee in both advancing and resisting the neoliberal turn. All three bodies served as instruments of neoliberal implementation: the RCOL recommended strong central standards monitored by powerful government departments and self-regulating bodies to retool Ontario's education system and support global competitiveness (Davies & Guppy, 1997; MacLellan, 2009b); the Education Improvement Commission provided a neoliberal management and control mechanism (Basu, 2004); and the GRC reflected the "responsibility without power" strategy typical of the "asymmetrical scale politics of neoliberalism" (Peck & Tickell, 2004, p. 625), by validating school board accountability for student achievement when boards have no control over the resources necessary to help students succeed. Yet, at the same time, all three bodies also contested aspects of neoliberal dominance. The RCOL affirmed a progressive vision for education grounded in principles of equity and community; the EIC was hailed for its unequivocal rejection of charter schools, a key strategy to advance neoliberal market principles; and the report of the GRC was acknowledged as much more closely aligned with sector interests – and a bulwark against further state centralization and encroachment – than the government-drafted legislation that initially flowed from it. Tensions within commission and committee discourses provided each government with room to manoeuvre as it implemented its own version of neoliberal governance reform (Bradford, 1998).

The third learning concerns the nature of neoliberal policy transformation, which is often interpreted as revolutionary, monolithic and dramatic (Bradford, 1998). Through detailed analysis of education governance reforms in Ontario across three parties over 20 years, this paper suggests instead that neoliberal policy implementation is a long-term and “messy” process that unfolds incrementally, rather than all at once. For example, a legislative review to clarify responsibilities of trustees, school boards and the ministry was first recommended in the 1994 report of the Royal Commission on Learning, repeated by the Education Improvement Commission in 1998, reinforced by the Rozanski Task Force in 2002, but only launched in 2009. Moreover, the governance reforms that resulted from the 2009 review were complicated by the ministry’s own seeming confusion over the policy instruments proposed in the Provincial Interest Regulation and the legislative provisions of Bill 177.

Here this paper identifies a final area where further research is warranted. Throughout the period studied, governance reforms were initiated within a neoliberal accountability agenda where school board governance changes were assumed to lead to improvements in student achievement. Yet, there exists a significant research gap about whether and how school board governance contributes to better outcomes for students. As Levin (2007, 2008) notes, large-scale sustained improvement in student outcomes requires more than changes to governance and accountability structures. Sustained efforts to change school and classroom practices are also needed, underscoring the limits of neoliberal educational reforms.

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